

Notice of Allowability

Application No.

10/048,202

Examiner

Gary K. Graham

Applicant(s)

DE BLOCK ET AL.

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendments filed 15 and 29 of April 2005 and interview of 5 May 2005.
2. ☒ The allowed claim(s) is/are 21,23-26,29-31,33,35,38,39 and 41-47.
3. ☒ The drawings filed on 22 April 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Gary K Graham
Primary Examiner
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EXAMINER'S AMENDMENT

To clearly distinguish applicant's wind deflection strip from a possible combination of Egner-Walter with Lumsden, the point of contact of the free ends of the diverging legs with the upper band surface of the support element has been set forth as being laterally spaced from the rubber elastic wiper strip. Such finds clear support in figure 2. Such limitation, in combination with the other structural relationships already set forth in claim 21, appears to define the wiper blade over the prior art. Claim 28 has been cancelled as such appears redundant as the legs are already set forth as with the support element. In claim 41, the deflective strip has been set forth as in contact with the end cap and device piece to clarify the relationship of end cap, deflective strip and device piece. In claim 47, the wind deflector strip has been set forth as being of a greater hardness than the wiper strip to steer clear of wiper blades such as Lumsden or Egner-Walter having a deflector strip and wiper strip of a common material that has a Shore A hardness that lies in both ranges set forth.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in an interview with Ilya Zborovsky on 05 May 2005.

The application has been amended as follows:

In the Specification

In the paragraph bridging pages 1-2 , amended 03 September 2004, lines 1 and 2 therein, delete "according to the preamble to claim 1".

In the Claims

In claim 21, line 21, after "element" insert ---, said legs contacting the upper band surface at a location laterally spaced from said rubber-elastic wiper strip---.

Cancel claim 28.

In claim 29, line 3, change "wiper blade (10)" to ---support element---.

In claim 35, line 2, change "attach" to ---attack---.

In claim 41, line 15, change "wiper blade (10)" to ---support element---,
line 21, after "between" insert ---and in contact with---.

In claim 42, line 13, change "wiper blade (10)" to ---support element---.

In claim 43, line 13, change "wiper blade (10)" to ---support element---.

In claim 44, line 13, change "wiper blade (10)" to ---support element---.

In claim 45, line 13, change "wiper blade (10)" to ---support element---.

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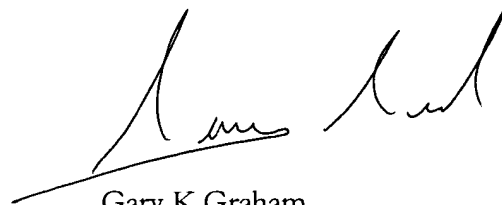
In claim 46, line 13, change "wiper blade (10)" to ---support element---.

In claim 47, line 13, change "wiper blade (10)" to ---support element---,
line 17, after "A" insert ---greater than the wiper strip and is---.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary K. Graham whose telephone number is 571-272-1274. The examiner can normally be reached on Tuesday to Friday (6:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Kim can be reached on 571-272-1142. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Gary K. Graham', is written over a horizontal line.

Gary K Graham
Primary Examiner
Art Unit 1744

GKG
05 May 2005